



**CALIFORNIA STATE
PUBLIC WORKS BOARD**

ARNOLD SCHWARZENEGGER, GOVERNOR

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STATE PUBLIC WORKS BOARD

March 11, 2005

MINUTES

PRESENT:

Ms. Anne Sheehan, Chief Deputy Director, Department of Finance
Ms. Cindy McKim, Chief Financial Officer, Department of Transportation
Mr. Ron Joseph, Director, Department of General Services
Ms. Cindy Aronberg, Deputy Controller, State Controller's Office
Mr. Francisco Lujano, Director, Securities Management Division, State Treasurer's Office

ADVISORY MEMBER:

Director, Employment Development Department

LEGISLATIVE ADVISORS:

Assembly Member
Assembly Member Wilma Chan
Assembly Member Lloyd E. Levine
Senator Gilbert Cedillo
Senator Wesley Chesbro
Senator Carole Migden

STAFF PRESENT:

Michael Carter, Assistant Administrative Secretary, State Public Works Board
Deborah Cregger, Legal Counsel, State Public Works Board
Kathy Chovan, Legal Counsel, State Public Works Board
Peggy Palmertree, Acting Executive Secretary, State Public Works Board
Brian Dewey, Budget Analyst, Department of Finance
Chris Lief, Budget Analyst, Department of Finance
Peter Brown, Budget Analyst, Department of Finance
Jacqueline Sapp, Budget Analyst, Department of Finance

OTHERS PRESENT:

Rob Kane, Department of Parks and Recreation
Warren Westrup, Department of Parks and Recreation
David Wrightsman, Department of Parks and Recreation
Jay Galloway, Department of Parks and Recreation
Scott Nakaji, Department of Parks and Recreation
Rick Stoltz, Department of Parks and Recreation
Geoff Palmertree, State Treasurer's Office
Aaron Todd, State Treasurer's Office
Chris Kooyman, State Treasurer's Office
Barbara Tanaka, State Treasurer's Office
Etsuko Stone, State Treasurer's Office
Chris Vance, State Treasurer's Office

Grace Boeger, State Treasurer's Office
Glen Mercer, State Treasurer's Office
Burton Shanoff, Department of General Services
Sabrina Winn, Department of General Services
Bob Clark, Department of General Services
Michael Salyer, Department of General Services
Jerry Leong, Department of General Services
Shelley Petravini, CA Community Colleges
Lisa Paterno, Department of Corrections
Rorie Skei, SMMC
Genevieve Agusitinez, Department of Mental Health
Clarence Chu, Locke Management Association
James D. Wrigley, Save Open Space
Adrienne Alvord, Senator Pavely's Office

CALL TO ORDER AND ROLL CALL:

Ms. Sheehan, Chairperson, Chief Deputy Director, Department of Finance at 10:03 am called the meeting to order. Ms. Karen Finn, Administrative Secretary for the State Public Works Board called the roll. A quorum was established.

APPROVAL OF MINUTES

Ms. Finn reported that staff has reviewed the minutes from the February 11, 2005 meeting and believe them to accurately represent the actions of the Board.

A motion was made by Ms. McKim and Second by Mr. Joseph to approve the minutes from the February 11, 2005 regular meeting.

Hearing no objections, the minutes from the February 11, 2005 regular meeting were unanimously approved.

There were no contingent actions from the previous meeting and staff recommends approval.

BOND ISSUES:

Ms. Finn stated that there were four bond items.

Bond Item #1, Department of General Services, Butterfield State Office Complex. If approved, the requested action will authorize the sale of lease revenue bonds for this project and approve the forms of the documents that are specified in the resolution. The maximum par value of the bonds for this series will be no more than \$255 million and the maximum true interest cost will not exceed 6 percent. Staff recommends adoption and approval of the resolution.

A motion was made by Mr. Joseph and Second by Ms. McKim to approve Bond Item #1. Bond Item #1 was approved by a 5-0 vote.

Bond Item #2, Department of Health Services, Richmond Laboratory Campus, Phase III Office Building. If approved, the requested action will authorize the sale of lease revenue bonds for this project and approve the forms of the documents that are specified in the resolution. The maximum par value of the bonds for this series will be no more than \$75 million and the maximum true interest cost will not exceed 6 percent. Staff recommends adoption and approval of the resolution.

A motion was made by Mr. Joseph and Second by Ms. McKim to approve Bond Item #2. Bond Item #2 was approved by a 5-0 vote.

Bond Item #3, California State University, Monterey Bay Campus, Monterey Bay County, Library. If approved, the requested action will adopt a resolution authorizing the use of interim financing and the eventual sale of lease revenue bonds. Staff recommends adoption and approval of the resolution.

A motion was made by Ms. Aronberg and Second by Mr. Lujano to approve Bond Item #3.

Bond Item #3 was approved by a 5-0 vote.

Bond Item #4, California Community Colleges, San Luis Obispo County Community College District, Cuesta College, San Luis Obispo County, Library Addition Reconstruction. If approved, the requested action will adopt an amended resolution authorizing the use of increased interim financing and the eventual sale of lease revenue bonds. Staff recommends adoption and approval of the resolution.

A motion was made by Mr. Lujano and Second by Ms. Aronberg to approve Bond Item #4.

Bond Item #4 was approved by a 5-0 vote.

CONSENT CALENDAR:

Ms. Finn stated that in summary, the Consent Calendar covers Items #5 through #15 proposes: two requests to authorize site selection, three requests to authorize an acquisition, one request to authorize an acquisition of real property through the acceptance of a gift, one request to approve redirection of existing project authority and approve a new agency retained item, one request to approve redirection of existing project authority, and three requests to approve preliminary plans.

There were no 20-day letters.

Staff recommends approval of the Consent Calendar Items #5 through #15.

A motion was made by Mr. Joseph and Second by Ms. McKim to adopt the Consent Calendar Items #5 through #15.

The Consent Calendar was adopted by a 3-0 vote.

ACTION ITEMS:

Ms. Finn stated that there were two Action Items.

Action Item #16 is for the Department of General Services, Department of Parks and Recreation, Delta Meadows, Locke Addition, Sacramento County, to authorize the acquisition of three parcels of approximately 51 acres contiguous to the Richardson Grove State Park.

Action Item #17 is for the Department of General Services, Department of Parks and Recreation, Malibu Creek State Park, Soka Property, Los Angeles County, to authorize the acquisition of 90 acres and appropriate appurtenant public access easements from a total of 154 acres that will be protected as coastal agriculture along the Santa Cruz coastline.

Ms. Finn stated that although the PWB staff recommends approval of the items, the Department of Parks and Recreation staff would like to present the background for the projects to the Board and explain why the standard indemnification language for the two items was not included in the proposals.

Mr. Warren Westrup, Department of Parks and Recreation gave a brief overview of the two projects.

Mr. Bob Sleepy, Department of General Services, gave a brief description of the state of the Locke grounds and the small amount of contamination that was found. He stated that the property is not served by a well.

Mr. Joseph stated that in the report the ground water contamination was not a great concern, but listening to the briefing that there may be a plume of water contamination.

Mr. Sleepy noted that more information had come to light and that there was no longer a concern

Mr. Clarence Chu, Chairman, Locke Management Association, gave a brief overview how the project came to light and how the town of Locke was formed. Mr. Chu explained his desire for a museum in the town of Locke to show people the history of Locke.

Alex Eng, Locke Management Association, asked the Board to approve the Locke project.

A motion was made by Ms. McKim and Second by Mr. Joseph to approve Action Item #16.

Action Item #16 was approved by a 3-0 vote.

Mr. David Wrightsman, Department of Parks and Recreation, gave a brief overview on the Malibu/Soka property. He indicated the project was a joint acquisition by the Santa Monica Mountains Conservancy, Wildlife Conservation Board, State Coastal Conservancy, and Department of Parks and Recreation.

Mr. David Brown, Committee to Save Soka, gave an overview of why he thinks the acquisition should be approved and brought his support of the project.

Mr. James D. Wrigley, Save Open Space—Santa Monica Mountains, he read a letter from the chair of Save Open Space in favor of the Soka acquisition.

Ms. Adrienne Alvord, for Assemblymember Pavley, read statement for Assemblymember Pavley showing her support for the acquisition.

A motion was made by Mr. Joseph and Second by Ms. McKim to approve Action Item #17.

Action Item #17 was approved by a 3-0 vote.

OTHER BUSINESS:

Ms. Finn stated there was no other business.

REPORTABLES:

Ms. Finn indicated that there were seven reportable items that Finance staff had approved under the authority delegated by the Board.

NEXT MEETING:

Ms. Finn stated that the next regularly scheduled meeting is set for Friday, April 8, 2005, at 10:00 am, at the State Capitol in Room 112 and a Special PWB Meeting was scheduled for Friday, March 25, 2005, at 10:00 am, at the State Capitol in Room 113.

Having no further business, the meeting was adjourned at 10:47 a.m.

BOND ITEM

BOND ITEM – 1

DEPARTMENT OF GENERAL SERVICES (1760) BUTTERFIELD STATE OFFICE COMPLEX

Authority: Section 14669.35 of the Government Code

a. Adopt a resolution to:

1. Authorize the sale of the State Public Works Board Lease Revenue Bonds—
Department of General Services, 2005 Series A, Butterfield State Office Complex
2. Approve the form of and authorize the execution of a First Amendment to the
Agreement to transfer Control and Possession of State owned Real Property dated
as of December 1, 2003, between the Department of General Services and the State
Public Works Board.
3. Approve the form of and authorize the execution of a First Amendment to the Facility
Lease dated as of December 1, 2003, between the State Public Works Board and the
Department of General Services.
4. Approve the form of and authorize the execution of a Supplemental Indenture
between the State Treasurer and the State Public Works Board.
5. Approve the form of and authorize execution of a Continuing Disclosure Agreement.
6. Approve the form of and authorize the execution and delivery of a Preliminary Official
Statement.
7. Approve and authorize the execution and delivery of an Official Statement.
8. Approve other related actions in connection with the authorization, issuance, sale,
and delivery of said revenue bonds.

Total Estimated Project Costs:

\$177,818,000

APPROVED:

5/0

BOND ITEM

STAFF ANALYSIS – 1

Department of General Services
Butterfield State Office Complex

Action Requested

The requested action would authorize the sale of the lease revenue bonds for this project as a related series of bonds to the State Public Works Board's 2003 Series D Bonds, approve the form of and authorize the execution of a First Amendment to the Agreement to Transfer Control and Possession of State owned Real Property for the 2003 Series D Bonds, a First Amendment to the Facility Lease for the 2003 Series D Bonds, a Supplemental Indenture, a Preliminary Official Statement, approve and authorize the execution and delivery of an Official Statement, and other related actions in connection with the authorization, issuance, and sale of the 2005 Series A Bonds.

Scope Description

The 2005A Project consists of an approximately 926,000 square foot office complex of three interconnected office buildings: a three-story office building, a four-story office building and a one-story town center building. The three office buildings consist of spread footings, slab on grade with raised floors of concrete filled metal decks. The structural system is steel frame. Building lateral force resisting structural system is a dual system with a combination of eccentrically braced frames and special moment resisting frames. Building exteriors are a combination of brick with composite metal panels and window wall system. Interior elements include primarily open office space with some private offices, cafeteria, auditorium, child care, credit union, meeting rooms, conference rooms and support space. The office buildings will house approximately 4,000 state employees. This portion of the Butterfield State Office Complex is expected to be substantially completed in October 2005 with beneficial use and occupancy, thereafter, some renovation on adjacent buildings will occur that will not affect the use and occupancy of the Office Complex.

Funding and Project Cost Verification

This project is within cost.

\$177,818,000 total project costs for design and construction

CEQA

CEQA was completed and no issues were raised.

Project Schedule

The project will be completed on October 2005.

Staff Recommendation: Approve the resolution.

BOND ITEM

BOND ITEM – 2

**DEPARTMENT OF HEALTH SERVICES (4260)
RICHMOND LABORATORY CAMPUS: PHASE III OFFICE BUILDING
RICHMOND, CONTRA COSTA COUNTY**

*Authority: Chapter 52/00, Item 4260-301-0001 (2)
Chapter 106/01, Item 4260-301-0660 (1)
Chapter 379/02, Item 4260-301-0660 (1)*

a. Adopt a resolution to:

1. Authorize the sale of the State Public Works Board Lease Revenue Bonds– (Department of Health Services) 2005 Series B (Richmond Laboratory: Phase III Office Building).
2. Approve the form of and authorize the execution of the First Amendment to the Facility Lease dated as of October 1, 1999, between the Department of Health Services and the State Public Works Board.
3. Approve the form of and authorize the execution of a Supplemental Indenture between the State Treasurer and the State Public Works Board.
4. Approve the form of and authorize the execution of a Continuing Disclosure Agreement.
5. Approve the form of and authorize the execution and delivery of a Preliminary Official Statement.
6. Approve and authorize the execution and delivery of an Official Statement.
7. Approve other related actions in connection with the authorization, issuance, sale, and delivery of said revenue bonds.

Total Estimated Project Costs:

\$49,973,000

APPROVED:

5/0

BOND ITEM

STAFF ANALYSIS – 2

Department Of Health Services
Richmond Laboratory Campus: Phase III Office Building

Action Requested

The requested action would authorize the sale of the lease revenue bonds and other related actions in connection with the issuance, sale and delivery of said revenue bonds, including the approval of the forms of and authorizing the execution and delivery of a first amendment to the facility lease dated as of October 1, 1999, supplemental indenture, a continuing disclosure agreement, a preliminary official statement and an official statement.

Scope Description

This project is within scope. This project consists of constructing an approximately 205,000 gross square foot three-story office building. The foundation system consists of spread footings and grade beams, slab on grade with cast-in-place concrete floor decks. The building structural system is cast-in-place, steel reinforced concrete with a lateral force resisting structural system is a shear wall system and the exteriors are a combination of architecturally exposed concrete with composite metal panels and window wall system. Interior spaces include primarily open office space with some private offices, library, auditorium, meeting rooms, quiet rooms, conference rooms, a central light court and administrative support spaces. The Phase III Office Building will house approximately 850 state employees, surface parking for 600 employees and is expected to be completed in June 2005.

Funding and Cost Verification

This project is within cost. The project costs are within the budget estimate. Preliminary plans were funded with General Fund whereas Working Drawings and Construction were funded with Lease Revenue Bonds.

\$51,555,000 total estimated project costs

\$50,527,000 project costs previously allocated: preliminary plans \$1,845,000, working drawings \$2,183,000 and construction \$46,499,000 (\$33,930,000 contract, \$1,662,000 contingency, \$5,430,000 A&E, and \$5,477,000 agency retained)

\$1,028,000 project costs to be allocated for construction

CEQA

A Notice of Determination was filed with the State Clearinghouse on September 27, 2001 and the 30-day waiting period expired on October 29, 2001.

Project Schedule

Complete construction: June 2005

Due Diligence Status

Due Diligence for this project was essentially completed on April 13th, 2004. The only remaining issue that would affect the quiet enjoyment of the property is a PG&E pole line easement, which PG&E has promised to quit-claim now that the line is abandoned.

Staff Recommendation: Approve Resolution

BOND ITEM

BOND ITEM – 3

**CALIFORNIA STATE UNIVERSITY (6610)
MONTEREY BAY CAMPUS, MONTEREY BAY COUNTY
LIBRARY**

Authority: Chapter 33/02, Section 34 (3D)

a. Adopt resolution to:

1. Authorize the use of interim financing, to be repaid from the Public Buildings Construction Fund, from proceeds generated from the sale of bonds.
2. Approve the form of and authorize the execution of the Construction Agreement between the California State University and the State Public Works Board.
3. Approve the form of and authorize the execution of a Site Lease between the California State University and the State Public Works Board.
4. Approve the form of and authorize the execution of a Facility Lease between the California State University and the State Public Works Board.
5. Approve the sale of the State Public Works Board Lease Revenue Bonds.

Total Estimated Project Costs:

\$43,951,000

APPROVED:

5/0

BOND ITEM

STAFF ANALYSIS – 3

California State University
Monterey Bay Campus, Library

Action Requested

The requested action will adopt a resolution authorizing action to be taken to provide for the interim financing and authorizing the sale of lease revenue bonds.

Scope Description

This project is within scope. This project will construct the permanent Monterey Bay library of 140,000 assignable square feet (ASF)/201,000 gross square feet (GSF) for 8,500 full time equivalent students (FTES). The project will build space for library services, stacks, compact storage, audio-visual areas and reader stations. A portion of the space provided for open stacks will be used on a temporary basis to accommodate 1,060 FTE. A revised project scope was adopted at the December 12, 2003 Public Works Board Meeting to include the electrical cabling and the switchgear to provide capacity needed to power the library project.

Funding and Cost Verification

This project is within cost.

The project is funded from two state appropriations including \$4,311,000 for PWC from Chapter 379/02 General Obligation bond funds and \$43,951,000 for PWC from Chapter 33/02 Public Building Construction Fund.

\$49,960,000 total estimated project cost

\$2,101,000 previously allocated general obligation bond funding: preliminary plans (\$931,000) and working drawings (\$1,170,000) at CCCI 4019

\$43,951,000 to be allocated Public Building Construction funding for: construction (\$43,951,000) at CCCI 4019

\$3,908,000 future funding to be allocated: equipment at EPI 2465

CEQA

The University certifies that the project is in compliance with the requirements of CEQA. A Categorical Exemption was filed with the State Clearinghouse on August 19, 2003.

Project Schedule

The project schedule is as follows:

Complete preliminary plans:	March 2004
Start construction	May 2005
Complete construction:	May 2007

Due Diligence

Due diligence research is being performed by the Department of General Services and is nearing completion.

Staff Recommendation: Adopt Resolution.

BOND ITEM

BOND ITEM – 4

CALIFORNIA COMMUNITY COLLEGES (6870)
SAN LUIS OBISPO COUNTY COMMUNITY COLLEGE DISTRICT
CUESTA COLLEGE, SAN LUIS OBISPO COUNTY
Library Addition Reconstruction

*Authority: AB 16, Chapter 33/02, Section 34(a) (E), and
Chapter 208/04, Item 6870-301-0660 (1)*

a. Adopt an amended resolution to:

1. Authorize the sale of the State Public Works Board Lease Revenue Bonds.
2. Authorize the execution of the Construction Agreement between the San Luis Obispo County Community College District and the State Public Works Board.
3. Approve the form of and authorize the execution of a Facility Lease between the San Luis Obispo County Community College District and the State Public Works Board.
4. Approve the form of and authorize the execution of an Agreement for the Site Lease between the San Luis Obispo County Community College District and the State Public Works Board.
5. Authorize the use of interim financing to be repaid from the Public Buildings Construction from the proceeds from the sale of bonds.

Total Estimated Project Costs

\$17,005,000

APPROVED:
5/0

BOND ITEM

STAFF ANALYSIS – 4

California Community Colleges
San Luis Obispo County Community College District
Cuesta College, Library Addition Reconstruction

Action Requested

The requested action will adopt a resolution authorizing action to be taken to provide for the interim financing and authorizing the sale of lease revenue bonds.

Scope Description

This project is within scope. The project reconstructs 24,588 assignable square feet (asf) and constructs a 25,029 asf addition to the library. Minor refinements in design have resulted in a slight shifting of spaces but still yield the same asf.

Funding and Project Cost Verification

The project is within cost.

\$17,005,000 total authorized project costs

\$17,005,000 total estimated project costs

\$1,521,000 state project costs to be allocated: equipment \$1,521,000

\$15,484,000 state project costs previously allocated: preliminary plans \$472,000; working drawings \$450,000; construction \$14,562,000 (\$13,200,000 contracts; \$660,000 contingency; \$702,000 construction management, administration, testing and inspection) at CCI 4100

CEQA

A Categorical Exemption for this project was filed on August 22, 1996 and endorsed on September 27, 1996.

Project Schedule

The project schedule is as follows:

Complete construction: October 2005

Staff Recommendation: Adopt Amended Resolution.

CONSENT ITEM

CONSENT ITEM – 5

DEPARTMENT OF GENERAL SERVICES (1760)
CALIFORNIA TAHOE CONSERVANCY (3125)
TAHOE LAKE FOREST LLC, PLACER COUNTY
CTC Project Number 057A, DGS Parcel Number 10275

Authority: Chapter 157/03, Item 3125-301-0005

a. **Authorize site selection**

APPROVED:
3/0

CONSENT ITEM

STAFF ANALYSIS ITEM – 5

Department of General Services
California Tahoe Conservancy
Tahoe Lake Forest LLC

Action requested

The requested action will authorize site selection for this project.

Scope Description

This project is within scope. The Legislature has approved funding for land acquisition pursuant to Section 66907 of the Government Code, which includes the purchase of real property or interests therein for the purpose of protecting the natural environment. This request will authorize site selection of approximately 2 acres for acquisition of fee title for purposes of watershed restoration and restoring and protecting the natural environment.

Funding and Cost Verification

This project is within cost. Chapter 157, Budget Act of 2003, Item 3125-301-0005, provides \$1,500,000 for the acquisition of land or interests therein. The property interest can be acquired with the funds available and in accordance with Legislative intent.

Project Schedule

The project schedule is as follows:

The anticipated close of escrow is April 2005.

CEQA

A Notice of Exemption was filed with the State Clearinghouse on October 1, 2004, and expired on November 5, 2004.

Condition of Property

On February 18, 2005, staff from the Department of General Services (DGS) Environmental Services Section (ESS) conducted a site survey of the proposed acquisition of approximately 2 acres situated just southwest of the corner of North Lake Boulevard (State Highway 28) and Lakewood Lane on Dollar Hill in North Lake Tahoe (Placer County). The subject parcel, which is separated from the corner by one intervening vacant lot, consists entirely of healthy coniferous forest habitat with a small wetland drainage coursing diagonally through its center. While the parcel was probably logged many decades ago, it has no history of development for housing, commercial, or industrial uses.

Adjacent uses include the state highway on the northern boundary, a vacant parcel to the east and residential uses to the south. The property is substantially in a natural condition with the exception of a minor accumulation of road debris (sand, some litter, etc.) along the interface with the state highway. Adjacent property uses include residential and some limited commercial development. While the property survey was conducted in winter, there was good visibility of the land surface and ESS staff is familiar with this property from past surveys of North Shore properties. Given there is no history of industrial uses on or directly adjacent to the parcel, and the surface was free of debris, ESS staff determined a formal Phase I preliminary site assessment was not warranted.

Based on the survey of the property, review of available materials, and knowledge of the area, ESS finds the property has no short or long-term liabilities or conditions that would affect the proposed acquisition.

Other:

- The purchase price does not exceed estimated fair market value as determined by a DGS approved appraisal.
- The California Tahoe Conservancy is not aware of any lawsuits pending concerning the property. The Property Acquisition Agreement will require delivery of title to the property free and clear of any mortgages or liens.
- The property is vacant and unimproved.
- There is no relocation assistance involved with this project.

Staff Recommendation: Authorize site selection

CONSENT ITEM

CONSENT ITEM – 6

DEPARTMENT OF GENERAL SERVICES (1760)
CALIFORNIA TAHOE CONSERVANCY (3125)
TWIN PEAKS WATERSHED RESTORATION, EL DORADO COUNTY
CTC Project Number 056A, DGS Parcel Number 10274

Authority: Chapter 379/02, Item 3125-301-0005(3)

a. Authorize acquisition

APPROVED:
3/0

CONSENT ITEM

STAFF ANALYSIS ITEM – 6

Department of General Services
California Tahoe Conservancy
Twin Peaks Watershed Restoration

Action requested

The requested action will authorize acquisition consistent with the staff analysis.

Scope Description

This project is within scope. The Legislature has approved funding for land acquisition pursuant to Section 66907 of the Government Code, which includes the purchase of real property or interests therein for the purpose of protecting the natural environment. This request will authorize site selection of approximately 21,954 square feet (0.504 acre) for acquisition of fee title for purposes of watershed restoration, restoring and protecting the natural environment and scenic beauty.

Funding and Cost Verification

This project is within cost. Chapter 379, Budget Act of 2002, Item 3125-301-0005(3), provides \$4,599,000 for the acquisition of land or interests therein as well as for site improvements. The property interest can be acquired with the funds available and in accordance with Legislative intent.

\$1,080,000 total estimated project costs

\$25,000 project costs previously allocated: appraisal \$3,000, appraisal review \$800, Phase I & II Environmental Assessment \$4,200, DGS staff costs \$7,000 and title and escrow \$10,000

\$1,055,000 project costs to be allocated: land acquisition \$1,000,000 and relocation (est. at \$55,000)

CEQA

A Notice of Exemption was filed at the State Clearinghouse on January 10, 2005, and expired on February 14, 2005.

Project Schedule

The project schedule is as follows:

The anticipated close of escrow is March, 2005.

Condition of Property

On December 10, 2004, the Department of General Services (DGS), Environmental Services Section (ESS) staff conducted a site visit of the proposed acquisition of an approximately half-acre parcel near the intersection of Highway 50 and Jewell Street in El Dorado County. The property is proposed for acquisition by the California Tahoe Conservancy to increase open space and provide a site for water quality improvements. This triangular-shaped parcel is developed with three small buildings, including a former automotive garage. The property currently houses Steve's Transmission Service. A majority of the parcel is either developed or covered with asphalt. Adjacent land uses include residential/storage (west), Highway 50 (east/north), and industrial (south). The parcel is slightly sloping from approximately west to east.

The subject property has a history of use for automotive servicing dating from approximately 1960 through present. Up until approximately the late 1980's the property was used as a gas station. In 1996 all the underground petroleum storage facilities were removed under permits from El Dorado County Health Department, as required by state law. For the past several years, the original gas station building has been used for transmission repair. The other two smaller buildings are used for non-automotive commercial uses such as food service and jewelry production.

In accordance with State Public Works Board policy, a preliminary site assessment was commissioned for the proposed acquisition. As part of this process a series of soil tests were taken in areas that had the potential to contain petroleum contamination from the past use as a gas station and the current use for transmission repair. Slightly elevated findings for total petroleum hydrocarbons (TPH) were found in some samples. The buildings, however, are not reported to contain hazardous materials. The current transmission shop is a facility that meets state health and environmental standards.

The property owner and the California Tahoe Conservancy are working with the due diligence consultant and El Dorado County Health Department to determine the extent of remediation needed to address these elevated TPH findings. Remediation of contaminated materials would occur prior after the site has been cleared of buildings and other improvements.

Other:

- The purchase price shall not exceed estimated fair market value as determined by a DGS approved appraisal.
- The Grantor will indemnify the State against any liabilities associated with hazardous materials found on the property for which they may be responsible.
- The California Tahoe Conservancy (CTC) will, after acquisition, perform site restoration work related to the elimination of 16,826 square feet of land coverage currently associated with buildings, pavement and compacted areas on the site. Once this work, estimated at between \$10,000 and \$25,000, is completed under CTC's established budget for such work, CTC's ongoing management obligation will be limited to an annual inspection of the property and minor maintenance of its restoration work.
- The seller's business, Steve's Transmission Service, is located on the property and qualifies for business relocation assistance. In addition to the seller's business, there is a one tenant occupant that is leasing space to make jewelry on the property that also qualifies for relocation assistance. The estimated cost for the relocation of both businesses is \$55,000 that includes a contingency of \$10,000.

Staff Recommendation: Authorize acquisition

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CONSENT ITEM

CONSENT ITEM – 7

DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF PARKS AND RECREATION (3790)
ANZA-BORREGO DESERT STATE PARK, PEG LEG DONATION
SAN DIEGO COUNTY
DPR Parcel No. 008239-77, DGS Parcel No. 10277

Authority: Public Resources Code 5005

- a. Authorize acquisition of real property through acceptance of a gift

APPROVED:
3/0

CONSENT ITEM

STAFF ANALYSIS ITEM – 7

Department of General Services
Department of Parks and Recreation
Anza-Borrego Desert State Park, Peg Leg Donation

Action requested

The requested action will authorize the acquisition of real property through the acceptance of a gift.

Scope Description

The Department of Parks and Recreation (DPR) has been offered a donation of approximately 52 acres of undeveloped land in an unincorporated area of San Diego County. This gift of real property represents an in-holding within the existing Anza-Borrego Desert State Park. The donor will transfer ownership to DPR pursuant to Public Resources Code Section 5005.

CEQA

A Categorical Exemption was filed with the State Clearinghouse on February 1, 2005, and will expire on March 8, 2005.

Project Schedule

The project schedule is as follows:

The anticipated acquisition is March 2005.

Condition of Property

Department of General Services (DGS), Environmental Services Section (ESS) staff conducted a site visit to the Anza-Borrego Desert State Park, Peg Leg property on December 22, 2004. The acquisition consists of an approximately 53-acre parcel (APN 142-140-22) of vacant land adjacent to the intersection of County Highway S-22 and Henderson Canyon Road in an unincorporated area of San Diego County, California.

A Phase I Environmental Site Assessment report is not deemed necessary given the physical setting of the parcel. No potential problems with hazardous materials were observed during the ESS site visit and the property is compatible with the proposed future use, i.e., open space.

Other:

- The property is vacant and unimproved.
- There is no relocation assistance involved with this project.
- DPR is not aware of any lawsuits pending concerning the property. The deed will deliver title to the property free and clear of any mortgages or liens.
- This acquisition will alleviate management issues associated with this property and as a result support implications for this project should be minimal. This is a 52-acre addition to the existing 600,000-acre Anza-Borrego Desert State Park. The property will be managed by existing staff.
- Any significant changes to public access, development, or resource needs will be addressed through the normal budget process.

Staff Recommendation: Authorize the acquisition of real property through the acceptance of a gift.

CONSENT ITEM

CONSENT ITEM – 8

DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF PARKS AND RECREATION (3790)
CUYAMACA RANCHO STATE PARK, MACK RANCH
SAN DIEGO COUNTY

DPR Parcel Number 007789-77, DGS Parcel Number 10239

Authority: Chapter 157/03, Item 3790-301-6029(10)
Chapter 379/02, Item 3790-301-0890(1)

a. **Authorize site selection**

APPROVED:
3/0

CONSENT ITEM

STAFF ANALYSIS ITEM – 8

Department of General Services
Department of Parks and Recreation
Cuyamaca Rancho State Park, Mack Ranch

Action requested

The requested action will authorize site selection for this project.

Scope Description

This project is within scope. The Legislature has approved funding for the purchase of interests in lands consistent with Proposition 40, and Federal Trust Fund Project monies without specifying particular parcels. This request will authorize site selection of approximately 79 acres as an addition to Cuyamaca Rancho State Park, in the County of San Diego.

This acquisition meets the Department's acquisition guidelines of Unique Natural Resource Areas and Expanded Outdoor Recreational Opportunities by acquiring property that contains at least three sensitive animal species and three species of special concern. The sensitive species are the Coastal Whiptail, Red shouldered Hawk, and the Turkey Vulture, with the special concern species being the Spotted Owl, Cooper's Hawk, and Mountain King snake. In addition, the property provides for expanded outdoor recreational opportunities by serving as a prime site for south-end year round horse camp/day use area, which is addressed in the Cuyamaca Rancho State Park General Plan.

Funding and Cost Verification

This project is within cost. Chapter 157/03, Item 3790-301-6029(10), Chapter 379/02, Item 3790-301-0890(1), and Chapter 157/03, Item 2660-101-0183 provide funding for this acquisition in fee simple interest and associated overhead for the real property. The property interest can be acquired with the remaining funds and in accordance with Legislative intent.

CEQA

A Notice of Exemption was filed with the State Clearinghouse on July 16, 2004, and the waiting period expired on August 21, 2004.

Condition of Property

Department of General Services (DGS), Environmental Services Section (ESS) reviewed the Phase I Environmental Site Assessment (PSA) prepared by MAZ Environmental for the Cuyamaca Rancho Foundation and ESS staff conducted a site visit at the Mack Ranch property on July 13, 2004. The proposed use of the approximately 79 acre site, located northeast of Descanso in San Diego County off of State Route 79 is for recreation and preservation.

The site location is primarily native habitat in rolling wooded terrain, with the developed portion separated from the bulk of the property by Descanso Creek, which meanders along the backside of the main house and outbuildings. The history of the property does not include farming or ranching, but has been exclusively residential over the years. The property is developed with a stone and wood main house and guest house, an associated assortment of out buildings, and a water tower. Similarly, the adjoining properties are in a primarily undeveloped state, with some sparse residential development to the north and south.

ESS staff notes the PSA has been professionally prepared to standards as defined in the American Society of Testing and Materials (ASTM), and support the findings and conclusions of the report, which were based on records review, user-provided information, on-site reconnaissance, and interviews. The PSA found no evidence of recognized environmental conditions (REC) with the property, with the possible exception of the location of a trash dump located in the northwestern region of the property, and two cut off pipes of unknown origin.

Although no potentially hazardous substances could be identified within the dump site location, upon removal of the trash in the dump site to original ground, the potential presence of hazardous substances might be identified. ESS staff will make a final determination of the potential for a recognized environmental condition at the trash dump site as follows:

- Following clean up of the dump-site, the Foundation will provide an assessment of the potential for on-site contamination and the possible need for further investigation.
- ESS staff will conduct an onsite review of the location to confirm the findings.

Two cut off pipes protruding above ground were identified near the metal gate located on the southeastern corner of the property. ESS staff will make a final determination of the potential for a recognized environmental condition at the location of the two cut off pipes as follows:

- The Foundation will provide for the excavation of the two cut off pipes, an assessment of the possible presence of an underground storage tank (UST), and an assessment of the potential need for further investigation.

According to the findings of the PSA, and confirmed during the site visit, a variety of miscellaneous trash and debris were found to be present onsite, however, it is not considered an environmental concern and will be removed as a condition of sale.

Regarding the non-REC conditions, ESS staff concurs with the Phase I recommendation that the following activities be conducted:

- Removal of trash and debris located onsite, including debris in and along the creek bed west of the houses.
- Abandon unwanted water wells in accordance with applicable regulations.
- If demolition of any of the houses located onsite is proposed, assess the possible presence of lead-based paint and ACBM in the structures slated for demolition.

No other potential problems with hazardous materials or the condition of the property were observed during the site visit. Based upon the findings of the ESS review and site visit stated above, ESS staff recommends acquisition of the property contingent upon a final determination that no REC conditions are present on the site, and that no further investigation is recommended.

Project Schedule

The project schedule is as follows:

The anticipated close of escrow is April 2005.

Other:

- The purchase price shall not exceed estimated fair market value as determined by a DGS approved appraisal.
- The Department of Parks and Recreation (DPR) is not aware of any lawsuits pending concerning the property. The Property Acquisition Agreement will require delivery of title to the property free and clear of any mortgages or liens.
- The property is unoccupied.
- There is no relocation assistance involved with this project.
- Access to the subject property is via Highway 79.
- It is currently unknown to what extent resources will be required to operate this property. DPR is currently exploring potential funding and operational alternatives with nonprofit organizations.

Staff Recommendation: Authorize site selection

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CONSENT ITEM

CONSENT ITEM – 9

DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF PARKS AND RECREATION (3790)
ANZA-BORREGO DESERT STATE PARK, DESERT CAHUILLA FISH TRAPS
IMPERIAL COUNTY
DPR Parcel Number 008186-77, DGS Parcel Number 10272

Authority: Chapter 157/03, Item 3790-301-6029(10)

a. **Authorize acquisition**

APPROVED:
3/0

CONSENT ITEM

STAFF ANALYSIS ITEM – 9

Department of General Services
Department of Parks and Recreation
Anza-Borrego Desert State Park, Desert Cahuilla Fish Traps

Action requested

The requested action will authorize acquisition consistent with the staff analysis.

Scope Description

This project is within scope. The Legislature has approved funding for the purchase of interests in lands consistent with Proposition 40 without specifying particular parcels. This request will authorize acquisition of approximately 360 acres as an addition to Anza-Borrego Desert State Park, in the County of Imperial.

The property is within Critical Habitat for the Peninsular Bighorn sheep and contains pristine archaeological relics, including ceremonial and habitation sites and rare and unique stone “fish traps” of the Desert Cahuilla people who inhabited this area for over 1,000 years. This project meets the Department of Parks and Recreation’s (DPR) Acquisition Guidelines by acquiring significant cultural resources properties and adjacent parcels.

Funding and Cost Verification

This project is within cost. The Legislature has approved funding for the purchase of interests in lands consistent with Proposition 40 without specifying particular parcels. Chapter 157/03, Item 3790-301-6029(10) provides \$35,000,000 for this acquisition program and there is a sufficient balance remaining in the account to pay the total project costs outlined below. The property interest can be acquired with the funds available and in accordance with Legislative intent.

\$185,100 total estimated project costs

\$2,000 project costs previously allocated: DGS staff costs for appraisal review and staff review

\$183,100 project costs to be allocated: \$179,600 for acquisition and approximately \$3,500 for title and escrow fees

CEQA

A notice of preparation was filed with the State Clearinghouse on January 6, 2005, and the waiting period expired on February 10, 2005.

Project Schedule

The project schedule is as follows:

The anticipated close of escrow is March 2005.

Condition of Property

Department of General Services (DGS), Environmental Services Section (ESS) staff conducted a site visit to the Anza Borrego Desert Cahuilla Fish Traps site on December 22, 2004. The Department of Parks and Recreation acquisition consists of approximately 360 acres of vacant land (APN 007-970-02). The subject property is located approximately ½ mile west of State Highway 86 and 14 miles north of Highway 78 in unincorporated Imperial County, California.

A Phase I Environmental Site Assessment (ESA) report prepared by Rincon Consultants, Inc. August 3, 2004, was reviewed by ESS staff and found to be in accordance with American Society for Testing and Materials (ASTM) standards. No recognized environmental conditions were identified for the subject property during the completion of the Phase I ESA.

The site visit to the Desert Cahuilla Fish Traps property revealed no improvements, e.g., industrial uses, fuel storage, waste disposal, etc., on the property that would raise a concern for migration of hazardous materials. No potential problems with hazardous materials, e.g., ground and/or vegetation staining were observed during the ESS site visit and the property is compatible with the proposed future use, i.e., preservation of cultural resources and open space.

Other:

- The State Public Works Board approved this project for site selection on February 11, 2005.
- The purchase price shall not exceed estimated fair market value as determined by a DGS approved appraisal.
- DPR is not aware of any lawsuits pending concerning the property. The Property Acquisition Agreement will require delivery of title to the property free and clear of any mortgages and liens.
- The property is vacant and unimproved.
- There is no relocation assistance involved with this project.
- DPR has certified that the management of this property will be handled within existing resources. The property consists of approximately 360 acres adjacent to the existing 600,000-acre Anza-Borrego Desert State Park.
- DPR will provide visual patrols of the property. DPR's continued partnership with the Anza-Borrego Institute will provide interpretation and education of the public at the archaeological sites.

Staff Recommendation: Authorize acquisition

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CONSENT ITEM

CONSENT ITEM – 10

DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF PARKS AND RECREATION (3790)
WILDWOOD CANYON PETTY PROPERTY
SAN BERNARDINO COUNTY
DPR Parcel Number A41802, DGS Parcel Number 10196

Authority: Chapter 379/02, Item 3790-301-6029(6)

a. **Authorize acquisition**

APPROVED:
3/0

CONSENT ITEM

STAFF ANALYSIS ITEM – 10

Department of General Services
Department of Parks and Recreation
Wildwood Canyon, Petty Property

Action requested

The requested action will authorize acquisition consistent with the staff analysis.

Scope Description

This project is within scope. The Legislature has approved funding for the purchase of interests in lands consistent with Proposition 40, without specifying particular parcels. This request will authorize acquisition for the purchase of approximately 2 acres of in-holding land located in the City of Yucaipa that will be an addition to a new approximately 655-acre State Park in Wildwood Canyon, in the County of San Bernardino.

Funding and Cost Verification

This project is within cost. Chapter 379/02, Item 3790-301-6029(6) provides \$40,000,000 for this acquisition program. The property interest can be acquired with the funds available and in accordance with Legislative intent.

103,500 total estimated project costs

2,000 project costs previously allocated: DGS staff costs for appraisal review, preparation and staff review

101,500 project costs to be allocated: \$100,000 for acquisition and approximately \$1,500 for title and escrow fees

CEQA

The Notice of Exemption was filed with the State Clearinghouse on November 26, 2003, and the waiting period expired on December 30, 2003.

Project Schedule

The project schedule is as follows:

The anticipated close of escrow is late March 2005.

Condition of Property

Department of General Services (DGS), Environmental Services Section (ESS) Staff conducted a site visit to the Petty property on November 19, 2003, located in Yucaipa, CA. No due diligence issues of concern were noted. ESS staff concluded that a formal Preliminary Site Assessment, Phase I, was not necessary for acquisition based on the following findings: (1) the site remains undeveloped and lies adjacent to vacant, undeveloped land of the Wildwood State Park, (2) there are no surface/subsurface improvements on the property that would require inspection; (3) no observation of hazardous material use, solid waste, storage of these wastes, or surface drainage was made; and, (4) a property adjacent to the site is residential and does not contain improvements (industrial uses, fuel storage, waste disposal, unknown debris, etc.) that would raise a concern for migration of hazardous materials.

Other:

- The State Public Works Board approved this project for site selection on July 16, 2004.
- The purchase price shall not exceed estimated fair market value as determined by a DGS approved appraisal.
- The Department of Parks and Recreation (DPR) is not aware of any lawsuits pending concerning the property. The Property Acquisition Agreement will require delivery of a title to the property free and clear of any liens.
- The property is vacant and unimproved.
- There is no relocation assistance involved with this project.
- Access to the subject property is via Dairy Road that is a public road.
- This acquisition serves as an in-holding addition to the existing Wildwood Canyon Park property. The subject property is situated on a bluff overlooking the existing park property and by its addition eliminates the possibility of it being developed as residential parcels, leading to potential encroachment issues. Residential development of the property would be incompatible with DPR's existing park property.
- This project will help to ensure preservation of open space and the natural environment.
- DPR certifies that this acquisition will help alleviate management problems associated with this inholding property and as a result, support implications for this project should be minimal.
- The property was re-inspected on January 26, 2005, by a DPR District Planner who confirmed there was no trash or debris and the property remains in its natural state.

Staff Recommendation: Authorize acquisition

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CONSENT ITEM

CONSENT ITEM – 11

**DEPARTMENT OF CORRECTIONS (5240)
CALIFORNIA STATE PRISON—KERN COUNTY AT DELANO II**

*Authority: Chapter 54, Statutes of 1999, Item 5240-802-0001, Item 5240-801-0660.268,
61.39.001*

- a. **Approve redirection of existing project authority**
- b. **Approve a new agency retained item**

**APPROVED:
3/0**

CONSENT ITEM

STAFF ANALYSIS ITEM – 11

Department of Corrections
California State Prison—Kern County at Delano II

Action Requested

The requested action will redirect existing project authority from the construction contingency cost category to the agency retained cost category and establish a new item within the agency retained cost category.

Scope Description

This project is within scope. The California State Prison - Kern County at Delano II (Delano II) project consists of constructing a maximum-security State prison for male inmates located near the City of Delano in Kern County. The project, when completed, will add a total of 2,248 cells to the California prison system, together with a 400-bed Level I support services facility.

Funding and Cost Verification

This project is within cost. The Department of Corrections (CDC) is requesting approval to redirect existing project authority and to establish a new agency retained item. There is various minor construction that needs to be completed prior to the activation of the prison. This work has been identified late in the project, discovered by custody and institution staff and the Department of Health Services. It is no longer cost effective to incorporate this work into the construction bid packages, since it would drive extended overhead costs. In order to minimize costs, this work will be performed by institution staff at approximately one quarter of the cost that it would have cost with the bid package contractors. This construction will occur at various buildings and involves minor work to doors, stairs, plumbing, dry wall, and refrigerators. The cost estimate for this work is \$50,000. A new agency retained item needs to be established for this work. Additionally, the grab bars in restrooms in two support services buildings need to be modified to meet compliance with the Americans with Disabilities Act (ADA) toilet-to-grab bar dimensions. These ADA compliance modifications are estimated to cost \$12,500. An agency retained item exists for ADA compliance modifications but its budget will need to be increased to accommodate this additional work. A redirection of \$62,500 of existing project authority from the construction contingency cost category to the agency retained cost category is needed for the new agency retained item and the ADA compliance modification work.

\$379,192,000 total estimated project cost

\$379,192,000 project costs previously allocated: acquisition \$5,072,000; preliminary plans \$4,748,000; working drawings \$6,200,000; project administration \$33,736,000; long lead \$1,084,000; group II equipment \$11,853,000; agency retained \$18,813,000; and construction \$297,686,000 (\$269,116,000 contract; \$23,304,000 contingency; \$5,266,000 A&E) at CCCI 3846

CEQA

The Department certifies CEQA requirements have been met. A Notice of Determination was filed with the State Clearinghouse on June 9, 2000. During the litigation period for the project, a lawsuit was filed. After the Department completed a court-ordered revision to the Cumulative Impacts Analysis of the Subsequent Environmental Impact Report, a new Notice of Determination was filed with the State Clearinghouse on December 13, 2001, and the waiting period expired on January 14, 2002. On April 4, 2002, the court issued a decision finding the Revised Cumulative Impacts Analysis to be adequate and that all CEQA requirements had been met. A Notice of Appeal was filed on July 9, 2002. The 5th Court of Appeals heard the matter on August 11, 2003, and issued a ruling favorable to the State of California on August 18, 2003, affirming the lower court's decision.

Project Schedule

The project schedule is as follows:

Complete construction: April 2005

Due Diligence Status

Due Diligence was completed on September 3, 2003.

Staff Recommendation: **Approve a redirection of existing project authority and a new agency retained item.**

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CONSENT ITEM

CONSENT ITEM – 12

DEPARTMENT OF CORRECTIONS (5240)
CALIFORNIA MEN'S COLONY-EAST, SAN LUIS OBISPO, SAN LUIS OBISPO COUNTY
D-Quad Mental Health Services Building

Authority: Chapter 106, Statutes of 2001, 5240-301-0001 (17)
Chapter 379, Statues of 2002, 5240-301-0660 (4)

- a. **Approve redirection of existing project authority**

APPROVED:
3/0

CONSENT ITEM

STAFF ANALYSIS ITEM – 12

Department of Corrections
California Men's Colony-East, San Luis Obispo
D-Quad Mental Health Services Building

Action Requested

The requested action will redirect existing project authority from the construction contingency cost category to the agency retained cost category.

Scope Description

This project is within scope. The scope of the D-Quad Mental Health Services Building project includes the replacement of the existing modular units with a new permanent building to provide sufficient program and office space for the Mental Health Custody and Clinical Program needs as mandated by the Clark vs. State of California Remedial Plan and the Coleman Federal Court Monitors' inspection. The work includes the relocation of the existing modular units including ramps, stairs, platforms, foundations, utility connections, site grading/paving, and construction of the new 9,240 square foot single story Mental Health Services Building. Site improvements will include connection to existing utilities, new concrete roadway and walkways, site security fencing, and gates.

Funding and Project Cost Verification

This project is within cost. The Department of Corrections is requesting approval to redirect existing authority from the construction contingency budget to the agency-retained budget. The current budget for Telecommunications, \$49,125, does not include the additional hardware needed for a Private Branch Exchange. An additional \$18,600 is needed to purchase, program and install digital phones and line card, analog phones and line card, and wall phones.

\$2,794,000 total estimated project cost

\$2,794,000 project costs previously allocated: preliminary plans \$140,000; working drawings \$161,000; construction \$2,493,000 (\$1,860,000 contracts, \$92,000 contingency, \$347,000 project administration, and \$194,000 agency retained)

CEQA

CDC certifies that it has complied with the requirements of CEQA for this project. Notice of Exemption was filed with the State Clearinghouse on December 13, 2001, and the waiting period expired on January 16, 2002, with no opposition to this project.

Project Schedule:

The project schedule is as follows:

Complete Construction: March 2005

Due Diligence Status

Due Diligence was completed on August 4, 2003.

Staff Recommendation: Approve redirection of existing project authority.

CONSENT ITEM

CONSENT ITEM – 13

CALIFORNIA COMMUNITY COLLEGES (6870)
GROSSMONT-CUYAMACA COMMUNITY COLLEGE DISTRICT
GROSSMONT COLLEGE, SAN DIEGO COUNTY
Infrastructure Correction

Authority: Chapter 208/04, Item 6870-301-6028 (8)

a. **Approve preliminary plans**

APPROVED:
3/0

CONSENT ITEM

STAFF ANALYSIS ITEM – 13

California Community Colleges
Grossmont-Cuyamaca Community College District
Grossmont College, Infrastructure Correction

Action Requested

The requested action will approve preliminary plans for this project.

Scope Description

This project is within scope. The proposed roadway network incorporates the following key issues; a well organized and efficient roadway system that links the west and east side of campus through a continuous road, provides an acceptable route for nearby residents to reach State Road 125 (SR-125) and minimizes the loss of parking while improving the level of safety.

Funding and Project Cost Verification

The project is within cost.

\$3,158,000 total authorized project costs

\$3,158,000 total estimated project costs

\$1,569,000 state project costs to be allocated: construction \$1,569,000 (\$1,264,000 contracts; \$124,000 contingency; \$181,000 construction management, administration, testing and inspection) at CCI 4100

\$222,000 local project costs previously allocated: acquisition, \$100,000; preliminary plans \$122,000

\$1,347,000 local project costs to be allocated: working drawings \$112,000; construction \$1,235,000 (\$1,235,000 contracts) at CCI 4100

CEQA

An EIR was filed with the State Clearinghouse (#2003051078) on May 15, 2003 and the response period expired on June 13, 2003.

Due Diligence

Community college districts are local entities and the State does not have title to their real property, hence districts acknowledge that they have full responsibility for clearing due diligence issues for general obligation bond projects.

Project Schedule

The project schedule is as follows:

Complete working drawings:	February 2005
Award contract:	April 2005
Complete construction:	April 2006

Staff Recommendation: Approve preliminary plans

CONSENT ITEM

CONSENT ITEM – 14

CALIFORNIA COMMUNITY COLLEGES (6870)
NORTH ORANGE COUNTY COMMUNITY COLLEGE DISTRICT
CYPRESS COLLEGE, ORANGE COUNTY
Piazza Infrastructure Repair

Authority: Chapter 208/04, Item 6870-301-6028 (11)

a. Approve preliminary plans

APPROVED:
3/0

CONSENT ITEM

STAFF ANALYSIS ITEM – 14

California Community Colleges
North Orange County Community College District
Cypress College, Library/Learning Resource Center

Action Requested

The requested action will approve preliminary plans for this project.

Scope Description

This project is within scope. The project mitigates the piazza infrastructure issues by: removing and reconstructing approximately 157,000 square foot topping slab, construction of a new exterior drainage system, installation of replacement guardrails, guardrail lighting system, and light standards.

Funding and Project Cost Verification

This project is within cost.

\$7,595,000 total authorized project costs

\$8,313,000 total estimated project costs

\$7,595,000 state project costs to be allocated: construction \$7,595,000 (\$6,790,000 contracts, \$475,000 contingency and \$330,000 tests and inspections, architectural oversight during construction) at CCI 4100

\$371,000 local fund project costs previously allocated: preliminary plans, \$371,000 at CCI 4100

\$347,000 local funds to be allocated: working drawings, \$347,000 at CCI 4100

CEQA

A Notice of Exemption (#1996105251) was filed with the State Clearinghouse on October 28, 1996 and the waiting period has expired.

Due Diligence

Community college districts are local entities and the State does not have title to their real property, hence districts acknowledge that they have full responsibility for clearing due diligence issues for general obligation bond projects.

Project Schedule

The project schedule is as follows:

Complete working drawings:	May 2005
Award contract:	July 2005
Complete construction:	April 2006

Staff Recommendation: Approve the preliminary plans

CONSENT ITEM

CONSENT ITEM – 15

CALIFORNIA COMMUNITY COLLEGES (6870)
YOSEMITE COMMUNITY COLLEGE DISTRICT
MODESTO JUNIOR COLLEGE, STANISLAUS COUNTY
Auditorium Renovation/Expansion

Authority: Chapter 157/03, Item 6870-301-6041 (92)
Reappropriated Chapter 208/04, Item 6870-490 (92)

a. **Approve preliminary plans**

APPROVED:
3/0

CONSENT ITEM

STAFF ANALYSIS ITEM – 15

California Community Colleges
Yosemite Community College District
Modesto Junior College, Auditorium Renovation/Expansion

Action Requested

The requested action will approve preliminary plans for this project.

Scope Description

This project is within scope. The authorized scope renovates and constructs an addition to the existing 38-year old auditorium. Design refinements have reconfigured spaces and increased the space by 1,975 assignable square feet (asf), resulting in 5,455 asf laboratories, 2,609 asf offices, and 29,920 asf instructional spaces.

Funding and Project Cost Verification

The project is within cost. The project scope has not changed but due to some minor technical structural concerns, the original structural design has been replaced with the current one by request of California Division of State Architect. This change has increased the project budget and the district has committed to covering the difference between the State appropriation and project estimate.

\$13,476,000 total authorized project costs

\$19,318,000 total estimated project costs

\$13,040,000 state project costs to be allocated: working drawings \$590,000; construction \$11,913,000 (\$10,622,000 contracts; \$645,000 contingency; \$646,000 construction management, administration, testing and inspection) at CCI 4100 and equipment \$537,000 at EPI 2564

\$436,000 state project costs previously allocated: preliminary plans \$436,000

\$5,842,000 local project costs to be allocated: construction \$5,842,000 (\$5,299,000 contracts; \$293,000 contingency; \$250,000 construction management, administration, testing and inspection) at CCI 4100

CEQA

A Negative Declaration was filed with the State Clearinghouse (#1996042095) on June 4, 1996 and the response period has expired.

Due Diligence

Community college districts are local entities and the State does not have title to their real property, hence districts acknowledge that they have full responsibility for clearing due diligence issues for general obligation bond projects.

Project Schedule

The project schedule is as follows:

Complete working drawings:	November 2005
Award contract:	December 2005
Complete construction:	June 2007

Staff Recommendation: Approve the preliminary plans

ACTION ITEM

ACTION ITEM – 16

DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF PARKS AND RECREATION (3790)
DELTA MEADOWS, LOCKE ADDITION, SACRAMENTO COUNTY
DPR Parcel Number A39701, DGS Parcel Number 10146

Authority: Chapter 106/01, Item 3790-301-0005(27)

a. Authorize acquisition

APPROVED:
3/0

ACTION ITEM

STAFF ANALYSIS ITEM – 16

Department of General Services
Department of Parks and Recreation
Delta Meadows Project, Locke Addition

Action requested

The requested action will authorize acquisition consistent with the staff analysis.

Scope Description

This project is within scope. The Legislature included an appropriation to the Department of Parks and Recreation from Proposition 12: Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund for Opportunity Purchases for the State Park System without specifying particular parcels. This request will authorize acquisition of a 3,112 square foot Boarding House (House) constructed around 1915, located on a 3,081 square foot lot at the northeast corner of the intersection of River Road and Locke Road. This acquisition meets the Department's Cultural Landscapes acquisition guidelines by acquiring property that represents the important historic themes in shaping the cultural patrimony of the Golden State.

Funding and Cost Verification

This project is within cost. Chapter 106/01 Item 3790-301-0005(27) provides funding for this acquisition in fee simple interest and associated overhead for the real property. The property can be acquired with the remaining funds and in accordance with Legislative intent.

\$85,500 total project costs

\$8,000 project costs previously allocated (DGS staff, independent appraisal and Phase 1 report)

\$77,500 project costs to be allocated: \$75,000 acquisition and approximately \$2,500 in title and escrow costs

CEQA

A Notice of Exemption was filed with the State Clearinghouse on October 28, 2003, and the waiting period expired on December 2, 2003.

Project Schedule

The project schedule is as follows:

The anticipated close of escrow is March of 2005.

Condition of Property

Department of General Services (DGS), Environmental Services Section (ESS) staff conducted a site visit to the Delta Meadows (Locke) parcel on September 11, 2003. The parcel is located at 13913 River Road, Locke, in Sacramento County. The acquisition consists of a former commercial use structure originally built circa 1915. The 2-story building was used as a residential rooming house, reportedly serving workers within the unincorporated community of Locke, in south Sacramento County. The property is currently vacant and uninhabitable, i.e., water and electric on the ground level only, no insulation, plywood nailed in the corners of some of the upper rooms for structural support, pedestrian bridge connecting the second story front porch to the road has been removed, etc. Proposed plans for the building are for future adaptation to a community museum as an archive of historical cultural heritage associated with the town of Locke.

A Phase I Environmental Site Assessment (ESA) report prepared by Kleinfelder, in May 2004 was reviewed by ESS staff and found to be in accordance with American Society for Testing and Materials (ASTM) standards. No evidence of recognized environmental conditions in connection with the property was identified except for the following:

- Regional surface water and groundwater quality concerns that may have affected the subject site were identified. Three health-based violations were reported to the EPA's Safe Drinking Water Information System (June 1999, Nov. 2000, and Feb. 2001) involving concentrations of Total Coliform that exceeded Maximum Contaminant Levels in the vicinity of the subject site. This is likely associated with an outdated wastewater treatment system that was rehabilitated in 2003. The water table is relatively shallow. If groundwater is to be used at the site, then it should be tested in accordance with its intended use (e.g. drinking water) and applicable federal, state, and local regulations. However, DPR's Phase I and II rehabilitation construction activities do not involve any soil disturbance that would affect existing groundwater conditions.
- The subject site may be affected by groundwater contamination from the Former Unocal Bulk Facility, located approximately 1/16th of a mile south of the subject site. Additional information concerning remedial action and quarterly monitoring was not included in files available for review from the Regional Water Quality Control Board. Based on analytical data reviewed from 2001 it appears that impacted groundwater is concentrated near the center of the Former Unocal Bulk Facility. The lateral extent of groundwater contamination does not appear to have been defined according to documents reviewed; therefore it is not clear whether or not groundwater beneath the subject site has been impacted by this facility. Groundwater sampling and laboratory analyses should be undertaken if the groundwater beneath the subject site will be used or if groundwater is likely to be encountered during construction activities on site. DPR's Phase I and Phase II rehabilitation construction activities do not involve any soil disturbance or excavation that would affect existing groundwater conditions.

- Hydrocarbon impacted soil was detected in a soil sample collected three feet below ground surface beneath a product delivery piping elbow at the Auxiliary Transmission Site, located approximately ¼-mile southeast of the subject site. It has been concluded that the impacts from this release were very small in lateral and vertical extent and do not appear to represent a significant environmental or human health risk. It is unlikely the conditions at the Auxiliary Transmission Site have adversely impacted the subject site.
- The structure onsite may contain lead-based paints and asbestos containing building materials. Prior to any renovations or demolition activities, a lead-based paint and asbestos survey and any associated work will be part of DPR's Phase I rehabilitation project.
- Historically (prior to 1950's) a gas station was formerly located north of the site at 13911 River Road and railroad tracks were present on historical aerial photographs prior to 1978. Either or both of these property types have the potential to be the source of possible groundwater and soil contamination from the release of hazardous materials, e.g., lead from the use of leaded gasoline and other metals. If during any construction activities at the subject site, signs of potential contamination (odors, discolored soil, etc.) are observed, soil and/or water sampling and analysis are recommended. Again, DPR's Phase I and II rehabilitation activities do not involve soil disturbance or excavation that would affect existing groundwater conditions.

No potential problems with hazardous materials, e.g., ground and/or vegetation staining was observed during the ESS site visit. The property is consistent with the proposed future use.

Other:

- The project was approved for site selection by the State Public Works Board on September 10, 2004.
- The purchase price shall not exceed estimated fair market value as determined by a DGS approved appraisal.
- DPR is not aware of any lawsuits pending concerning the property. The Property Acquisition Agreement will require delivery of title to the property free and clear of any mortgages or liens.
- The property is vacant and there is no relocation assistance involved with this project.
- The town of Locke is located south of Sacramento on the Sacramento River and was established as a rural farming community founded by Chinese immigrants for the Chinese in 1912. The Sacramento Housing and Redevelopment Agency (SHRA) purchased the 10 acre town of Locke from a single ownership without acquiring the buildings in the town. Most of the buildings in town were constructed on ground leases. The SHRA purchased the town with the commitment to subdivide the property into small fee parcels and convey them to the individual owners of the buildings. In addition, the SHRA committed to replacing the infrastructure improvements to serve the community. The SHRA is working together with the State Historic Preservation Office (SHPO) toward redevelopment and preservation of the community and its historic structures.

- The owners of the subject House were the prior owners of the town. In their agreement to sell the property to the SHRA, they reserved the right to reconveyance from SHRA of the lot underlying the House at no cost upon recordation of the subdivision map. The SHRA filed the tentative subdivision map "Community of Locke" in July, 2003. The conditions of final approval were met and the final map recorded on December 8, 2004. The SHRA conveyed title to the owner of the House after recordation of the map. The seller is donating the land to DPR.
- The Sacramento County Building Department required SHRA to install a fire suppression sprinkler system as a condition of the subdivision map. The installation of the sprinkler system in the House has been completed.
- The Department of Parks and Recreation (DPR) plans to rehabilitate the House and convert it to a museum that interprets the cultural history of the town of Locke and immigration in the Delta. The structure requires substantial remodeling throughout. Partial upgrading of electrical conduits and protective roof covering has been completed by the owner. The cost to complete the rehabilitation and conversion is estimated to be approximately \$1,500,000. SHRA received a \$500,000 grant from DPR and a \$450,000 grant from Save America's Treasures to fund the first phase of the rehabilitation of the building. The existing grant funds will stabilize and fully secure the structure from the weather and remove all lead paint from the building. The building will not be open to the public until additional grant funds have been received by DPR. SHRA has applied for an additional \$500,000 grant to complete the second phase of rehabilitation which will prepare the interior of the building for occupancy and public use. The rehabilitation will be performed by SHRA through a Joint Powers Agreement or Memorandum of Understanding between SHRA and DPR. SHRA's willingness to oversee the building's remodeling will save DPR approximately \$100,000 off the original construction estimate.
- DPR entered into an agreement with the Sacramento River Delta Historical Society (SRDHS) to develop a framework for the future operation of the House as a museum. It is the intent of DPR and SRDHS to cooperate in securing and training a volunteer staff to operate the museum. Rent received for the second floor office space will offset monthly expenses required to operate the property. DPR anticipates that with the assistance of the non-profit organization, operating costs will be minimal. Prior to rehabilitation, the building will remain closed to the public.
- The Property Acquisition Agreement excludes the State's standard indemnification language potentially exposing the State to additional liability; however, conditions identified in environmental surveys of this property have not identified conditions that would likely pose an exceptional risk to the State.

Staff Recommendation: Authorize acquisition

ACTION ITEM

ACTION ITEM – 17

DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF PARKS AND RECREATION (3790)
MALIBU CREEK STATE PARK, SOKA PROPERTY, LOS ANGELES COUNTY
DPR Parcel Number 8254-77, DGS Parcel Number 10291

Authority: Chapter 379/02, Item 3790-301-6029(6)

a. Authorize acquisition

APPROVED:
3/0

ACTION ITEM

STAFF ANALYSIS ITEM – 17

Department of General Services
Department of Parks and Recreation
Malibu Creek State Park, Soka Property

Action requested

The requested action will authorize site selection and acquisition

Scope Description

This action is within scope. This request will authorize site selection and acquisition for the purchase of approximately 102 acres of land adjacent to Malibu Creek State Park in the County of Los Angeles. The property is located in the heart of the ecologically significant Malibu Creek Watershed. The property consists of Oak and Riparian Woodland and also falls within the Las Virgenes Valley Raptor Foraging Grassland Complex. The acquisition meets the Malibu Creek State Park 2003 General Plan which details State Parks efforts to maintain and enhance the dispersal and movement of native animals within and beyond the Malibu Creek State Park boundaries and coordinate with other agencies and property owners to acquire or secure land acquisitions that ensure key wildlife corridors are preserved and enhanced.

This acquisition represents only a portion of the Soka University property, which encompasses approximately 588 acres. The Mountains Recreation and Conservation Authority (MRCA), a joint powers agency of the Santa Monica Mountains Conservancy and Conejo and Rancho Simi Recreation and Park Districts, currently holds an option agreement to purchase the entire Soka University property for \$35 million. MRCA intends to exercise the option agreement and acquire the Soka University property with numerous State grant funds provided by the State Coastal Conservancy, Santa Monica Bay Restoration Commission, Wildlife Conservation Board, and Santa Monica Mountain Conservancy and local government and private funding sources. Through a double escrow, MRCA will transfer approximately 102 acres to the California Department of Parks and Recreation (DPR).

Funding and Cost Verification

This project is within cost. The Legislature has approved funding for the purchase of interests in lands consistent with Proposition 40, without specifying particular parcels. Chapter 379/02, Item 3790-301-6029(6) provides \$40,000,000 for this acquisition program and there is a sufficient balance remaining in the account to pay the total project costs outlined below. The property interest can be acquired with the funds available and in accordance with Legislative intent.

7,179,000 total estimated project costs

\$2,000 project costs previously allocated: DGS staff costs

7,177,000 project costs to be allocated: \$7,150,000 acquisition and estimated closing costs of \$27,000.

CEQA

A Notice of Exemption was filed with the State Clearinghouse on October 8, 2004, and the waiting period expired on February 28, 2005.

Project Schedule

The project schedule is as follows:

The anticipated close of escrow is late March 2005.

Condition of Property

On January 11, 2005, staff from the Department of General Services (DGS), Environmental Services Section (ESS) conducted a site review of the proposed acquisition of approximately 100 acres of the Soka University of America Site on Las Virgenes Canyon Road in Calabasas, Los Angeles County. DPR intends to acquire this portion of the Soka property to provide an addition to the adjacent Malibu Creek State Park. The remainder of the Soka property is planned for acquisition by others to preserve open space, native habitat, and historic buildings as well as to provide a site for support of regional open space programs.

A Phase I Preliminary Site Assessment (Rincon Consultants, Inc., August 6, 2004) was prepared for the entire Soka property. The PSA addressed the portion that is the subject of this proposed acquisition. The approximately 100 acres to be secured for the State Park consists of an irregular-shaped area situated on the southwest corner of the Soka property. The property is almost exclusively oak woodland, chaparral, and annual grassland. The property is in a native condition except for a few access roads and a small building at the southwestern edge of what will be a new parcel.

The Phase I assessment indicates that some areas of the Soka University property, including areas of landscaping and pasture, have been irrigated with treated effluent from the Las Virgenes Water District. The land is irrigated in dry months when the effluent can not be discharged to Malibu Creek. The irrigation of the effluent is consistent with an agreement between the District and the Los Angeles Water Control Board. Use of effluent for irrigation would have only occurred on a small area in the lower reaches of the northerly edge of the acquisition. These areas are pastures planted in annual grasses. A survey of these two small areas demonstrated no negative consequences of the irrigation of this water (loss of vegetation, smell, discolored run-off, etc.); the remaining areas subject to irrigation of effluent are at some distance and at or below the elevation of the acquisition parcel. Because effluent disposal only occurs under a permit from the Regional Board, there are no due diligence concerns with this element of the property's history.

The Phase I assessment did not identify any areas of concern on the State Park acquisition area. While this assessment did identify a few areas of concern associated with buildings or infrastructure on the main campus of Soka University, there were no concerns with hazardous materials, contamination, or debris on this 100-acre parcel. The seller will remove the small wood-frame structure and remediate any disturbance caused by its removal prior to acquisition. The building has no history of industrial uses or storage of hazardous materials.

ESS staff believes there are no environmental due diligence concerns with this proposed acquisition. The new parcel will provide an expansion of Malibu Creek State Park that should be consistent with the park's mission and purpose.

Other:

- Site selection was approved through delegation on February 23, 2005
- The purchase price shall not exceed estimated fair market value as determined by a Department of General Services (DGS) approved appraisal.
- DPR is not aware of any lawsuits pending concerning the property. The Property Acquisition Agreement will require delivery of title to the property free and clear of any mortgages or liens.
- The approval authority for the majority of the Soka University property resides with the State Coastal Conservancy, Santa Monica Bay Restoration Commission, Wildlife Conservation Board, and Santa Monica Mountain Conservancy, which are providing a combined total of approximately \$30 million of State funding for this transaction. Proposed sources of funding will come from the following California voter-approved bond funds: 1) Proposition 50—Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002; 2) Proposition 40—Clean Water, Clean Air, Safe Neighborhood and Coastal Protection Act of 2002; and 3) Proposition 12—Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act of 2000.
- The Property Acquisition Agreement between MRCA (Grantor) and DPR (Grantee) includes standard indemnification language providing protection for the State. It should be noted, that the Option Agreement between MRCA and Soka University of America does not include any indemnification language providing MRCA protection against environmental hazardous substances that may exist. However, the State is acquiring a property with long-term ownership and has little reason to believe, based on knowledge regarding the history of the site and on the ESS review that any significant physical or legal issues exist on the property that would adversely impact DPR's intended use.
- DPR is in receipt of a January 27, 2005 letter from the Los Angeles County Public Works Department verifying that there would be no objection to the creation of a new access onto the property being acquired by DPR, off Las Virgenes Road, a public road.
- There is no implied dedication on this property.
- There is no relocation assistance involved with this project.
- The property is vacant and unimproved.
- There are no mineral right reservations on the property.
- DPR has certified that the management of this property will be handled within existing resources. DPR will provide visual patrols using existing staff from Malibu Creek State Park, which is contiguous with this proposed acquisition.
- Any changes to public access, development, or resource needs not considered at this time will be addressed through the normal budget process. However, the requested action shall not commit the state to future support budget augmentations.
- DPR will enter into a limited term agreement with Soka University which allows Soka University the right to use all roads and parking areas on any portion of the proposed property acquisition. Proper indemnification language protecting the State from liability has been provided in the agreement. This limited term agreement will not adversely impact DPR's intended use of the property.
- As noted above, this acquisition constitutes only a portion of the larger Soka University property. DPR and MRCA have indicated that the consummation of this acquisition is dependent upon the approval of all of the various funding authorities that will authorize the acquisition of the remaining portions of the Soka University property. That is, MRCA must reach agreement with all funding authorities or else none of the Soka University property, including this acquisition, will proceed.

Staff Recommendation: Authorize acquisition

OTHER BUSINESS

OTHER ITEM – 18

No Other Business.

REPORTABLES

To be presented at meeting.

Respectfully Submitted
By:

KAREN FINN
Administrative Secretary